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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE NEW YORK TIMES COMPANY :
and RON NIXON, :
Plaintiffs, : 09 Civ. 10437 (FM)
: ECF Case
:
-against- :
:
UNITED STATES DEPARTMENT :
OF THE TREASURY, :
:
Defendant. :
----- x -----

**DECLARATION OF JOSEPH N. CORDARO IN OPPOSITION TO
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AND IN SUPPORT
OF THE GOVERNMENT'S MOTION FOR SUMMARY JUDGMENT**

I, JOSEPH N. CORDARO, pursuant to 28 U.S.C. § 1746, declare under
penalty of perjury as follows:

1. I am the Assistant United States Attorney assigned to handle the
above case and am fully familiar with all the facts stated herein. I make this
declaration in opposition to the motion by plaintiffs for summary judgment seeking
the release of the identities of certain individuals under the Freedom of Information

Act, 5 U.S.C. § 552 (“FOIA”), and in support of the motion by defendant the United States Department of the Treasury (“Treasury”) for summary judgment as to the same information.

2. Attached hereto as Exhibit A is a true and correct copy of plaintiffs’ Complaint in the action *The New York Times Co. & Ron Nixon v. United States Department of the Treasury*, No. 08 Civ. 8341 (PGG) (the “2008 Action”).

3. Attached hereto as Exhibit B is a true and correct copy of sample pages of a spreadsheet provided to plaintiffs during the pendency of the 2008 Action, showing redactions, *inter alia*, in the following fields: **licensee**, **case_licensee**, **case_licensee_name**, **rec_licensee_name**, and **other_licensees**.

4. Attached hereto as Exhibit C is a true and correct copy of the Stipulation of Settlement and Dismissal in the 2008 Action, entered by the Court on June 22, 2009.

5. Attached hereto as Exhibit D is a true and correct copy of a letter from Itai Maytal to Marshall Fields, dated July 17, 2009 (“the Administrative Appeal”).

6. Attached hereto as Exhibit E is a true and correct copy of a letter from David S. Cohen to Itai Maytal, dated September 18, 2009, constituting Treasury’s denial of plaintiffs’ Administrative Appeal.

7. Attached hereto as Exhibit F is a true and correct copy of plaintiffs’ Complaint in the above-captioned action.

8. Attached hereto as Exhibit G is a true and correct copy of Treasury’s Answer in the above-captioned action.

I declare under penalty of perjury that foregoing is true and correct.

Dated: New York, New York
April 26, 2010

s/ Joseph N. Cordaro
JOSEPH N. CORDARO
Assistant United States Attorney